

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AT&T CORP.,

Plaintiff,

-v-

ATOS IT SOLUTIONS AND SERVICES, INC.,

Defendant.  
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23-cv-01395 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Defendant Atos IT Solutions and Services, Inc. (“Atos”) moves by letter motion, pursuant to Federal Rule of Civil Procedure 30(b)(1) and 30(b)(6), Local Civil Rule 37.2, and Rule I.C of the Court’s Individual Practices, for an order compelling Plaintiff AT&T Corp. (“AT&T”) to produce each of its designated corporate representative witnesses for a Rule 30(b)(6) deposition up to seven hours in length in addition to their individual Rule 30(b)(1) depositions. Dkt. No. 122. AT&T opposes the motion, arguing that Atos’ Rule 30(b)(6) notice is improper and that each of its witnesses should be deposed only once for up to seven hours. Dkt. No. 125. The Court construes AT&T’s response as a letter motion seeking a protective order. The parties’ motions are granted in part and denied in part.

In general, “[f]or purposes of [the seven-hour] durational limit, the deposition of each person designated under Rule 30(b)(6) should be considered a separate deposition.” *Oakley v. MSG Networks, Inc.*, 2024 WL 5056111, at \*3 (S.D.N.Y. Dec. 10, 2024) (Sullivan, J.) (quoting Fed. R. Civ. P. 30 advisory committee’s note to 2000 amendment). However, courts may limit the number and length of depositions pursuant to Federal Rule of Civil Procedure 26(b)(2)(A), including due to concerns regarding relevance, overbreadth, burden, and avoidance of duplicative


testimony. The Court accordingly orders that Atos may depose AT&T's Rule 30(b)(6) witnesses for up to seven hours in the aggregate, with the seven hours to be split among AT&T's corporate representatives as Atos elects. The Rule 30(b)(6) depositions shall be taken in addition to, not in lieu of any portion of, the witnesses' seven-hour Rule 30(b)(1) depositions.

Atos' request that AT&T be compelled to designate and produce a corporate representative to testify as to AT&T's alleged damages is denied. AT&T's request that Atos' Rule 30(b)(6) deposition topics be limited for purposes of overbreadth and duplication is denied.

The Clerk of Court is respectfully requested to close Dkt. No. 122.

SO ORDERED.

Dated: January 23, 2025  
New York, New York

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LEWIS J. LIMAN  
United States District Judge